

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
September 17, 2009**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:04 A.M. on September 17, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS  
PRESENT:**

Lynne M. Cooper, Citizen Member, President  
Brenda Hale, R.N.  
Evelyn Lindsay, L.P.N.  
Judith E. Piersall, R.N., B.S.N.  
Karen K. Schultz, Ph.D., M.B.A., Citizen Member

**STAFF PRESENT:**

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director  
Brenda Krohn, R.N., M.S., Deputy Executive Director  
Amy Davis, Administrative Assistant

**OTHERS PRESENT:**

Howard M. Casway, Senior Assistant Attorney General  
Nursing students from John Tyler Community College; Valley Vocational Technical Center; National School of Nursing

**ESTABLISHMENT OF  
A QUORUM:**

With five members of the Board present, a quorum was established.

**FORMAL HEARINGS:**

**Lisa A. Armentrout, L.P.N. 0002-039393**  
Ms. Armentrout did not appear.

Amanda Mitchell, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Ron Houser, Senior Investigator, Department of Health Professions; Martha Ann Spruill, Senior Case Manager, Health Practitioners Monitoring Program were present and testified. Elizabeth Hartman, testified by telephone.

**CLOSED MEETING:**

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:36 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Armentrout. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed

meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:51 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Hale moved that the Board of Nursing indefinitely suspend the right to renew Lisa Armentrout's practical nursing license until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Douglas left the meeting.

FORMAL HEARINGS:

**Leslie Machuzak, R.N. 0001-164964**

Ms. Machuzak did not appear.

Anne Joseph, Deputy Director, Administrative Proceedings Division represented the Commonwealth. Mr. Casway was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Naima Fellers, Senior Investigator, Department of Health Professions testified by telephone. Jennifer Sears-Cockram, Case Manager, Health Practitioners Monitoring Program was present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:19 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Machuzak. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:25 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting

requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Hale moved that the Board of Nursing revoke the professional nursing license of Leslie Machuzak.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

**FORMAL HEARINGS:**

**Monique L. Moore, R.N. Reinstatement Applicant 0001-196982**

Ms. Moore appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions; Cathleen Giannini, R.N., B.S.N.; Vicki Furber, R.N. were present and testified.

**CLOSED MEETING:**

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:16 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Moore. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 11:46 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Lindsay moved that the Board of Nursing reinstate the professional nursing license of Monique Moore and further issue a reprimand. Additionally, the Board orders Ms. Moore to provide evidence to the Board of completing the National

Council of State Boards of Nursing courses “Professional Accountability and Legal Liability for Nurses” ‘Ethics of Nursing Practice’ and Disciplinary Action: What Every Nurse Should Know” within 45 days of entry of the order.  
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Douglas re-joined the meeting.

FORMAL HEARINGS: **Anita R. Rich, C.N.A. Reinstatement Applicant 1401-063356**  
Ms. Rich appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:49 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Rich. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:11 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.  
The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing reinstate the nurse aide certificate of Anita Rich and issue a reprimand.  
The motion was seconded and carried Ms. Hale, Ms. Cooper, Ms. Lindsay and Ms. Piersall were in favor of the motion. Dr. Schultz opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 1:15 P.M.

RECONVENTION: The Board reconvened at 2:11 P.M.

FORMAL HEARINGS: **Shirley A. Mosley, C.N.A. Reinstatement Applicant 1401-011811**  
Ms. Mosley appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Debra Hay-Pierce, Investigator, Department of Health Professions; Carrie Faris, L.P.N., Assistant Director of Nursing, Westport Convalescent Center; Robin Gary, L.P.N. Unit Manager, Westport Convalescent Center were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:05 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Mosley. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:07 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Piersall moved that the Board of Nursing deny reinstatement of Shirley Mosley's nurse aide certificate. Further, based on Finding of Fact #3 and Conclusion of Law #1, said finding constitute a single finding of neglect. The motion was seconded and carried. Dr. Schultz, Ms. Cooper, Ms. Lindsay and Ms. Piersall were in favor of the motion. Ms. Hale opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Douglas left the meeting.

FORMAL HEARINGS: **Anna M. Martin, R.N. 0001-081344**  
Ms. Martin did not appear.

Amanda Mitchell, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:28 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Martin. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:31 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing continue the professional nursing license of Anna Martin on indefinite suspension until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 4:33 P.M.

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Brenda Krohn, R.N., M.S.  
Deputy Executive Director